

Appln. No.: 09/845,166

Amendment dated November 23, 2005

Reply to Office Action of August 25, 2005

REMARKS/ARGUMENTS

The Office Action of August 25, 2005, has been carefully reviewed and these remarks are responsive thereto. The Applicant's undersigned representative is new counsel of record pursuant to the new Power of Attorney filed on November 21, 2005. Applicant has amended claims 1, 5, 12, 15 and 16. New claims 17 and 18 have been added. No new matter has been added. Claim 2 has been cancelled. Claims 1 and 3-18 remain pending after entry of the present amendment. Reconsideration and allowance of the instant application are respectfully requested.

Claim Rejections

Claims 1, 6-8 and 11-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Blackketter *et al.* (US Patent Publ. No. 2002/0056129, hereinafter "Blackketter") in view of Kaiser *et al.* (U.S. Patent No. 6,615,408, hereinafter "Kaiser"). Claims 2, 4, 5, 9 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Blackketter in view of Kaiser and further in view of Macrae *et al.* (WO 98/17064, hereinafter "Macrae"). These rejections are respectfully traversed for the following reasons.

Independent claims 1, 12 and 16 have been amended to incorporate the features of cancelled claim 2. Thus, Applicant will discuss all applied references in addressing the outstanding rejections of these claims and their respective dependent claims.

Independent claims 1, 12 and 16 relate to, *inter alia*, a graphical object having associated timing information. The timing information is provided as a time stamp in an elementary stream of digital information *comprising subtitling information*. Nowhere does Blackketter or Kaiser, either separately or in combination, teach or suggest such a feature. The Office Action even makes such an admission on page 5. Instead, the Office Action relies on Macrae to cure this deficiency, asserting that the name of an Internet site constitutes subtitling information. However, merely transmitting the name of an Internet site in a transmission is entirely different from an elementary stream of digital information comprising subtitling information. While the name of an Internet site merely relates identification information, Applicant's specification discloses on p.7, ll. 21-30 that subtitling information includes presentation information for synchronization with audio and video information. Macrae lacks any teaching or suggestion that

Appln. No.: 09/845,166
Amendment dated November 23, 2005
Reply to Office Action of August 25, 2005

transmitting the name of an Internet site incorporates any form of synchronization with audio and video information. As such, claims 1, 12 and 16 are allowable for at least this reason.

Claims 3-11, 13, 14, 17 and 18 are dependent on their respective base claims (i.e., claims 1, 12 and 16) and are thus allowable for at least the same reasons as those base claims and further in view of the novel and non-obvious features recited therein.

In addition, amended independent claims 12 and 15 relate to, *inter alia*, a graphical object associated with a plurality of content streams and launching an application associated with a content stream selected from the plurality of content streams based on one or more user preferences. Blackketter, Kaiser and Macrae all fail to teach or suggest such a feature. In particular, Applicant's specification discloses, for example, different streams for different languages may be constructed and the choice of different trigger streams and content may be selected based on the user preferences. p. 11, ll. 18-27. In contrast, Blackketter discloses that a trigger includes a single Uniform Resource Identifier. P. 3, ¶ [0041]. Similarly, Kaiser discloses that each trigger zone includes a single trigger resource identifier. In other words, only a single resource is associated or identified with any particular trigger or trigger zone, instead of the plurality of content streams associated with a graphical object recited in claims 12 and 15. Equally deficient, Macrae only discloses displaying a graphical icon that allows a user to access a specific URL encoded in the television signal. *See* Abstract. Macrae thus suffers from the same inadequacies as Kaiser and Blackketter. Even assuming, *arguendo*, any of Blackketter, Kaiser and Macrae did disclose a graphical object associated with a plurality of content streams, the references still lack any teaching or suggestion of launching an application associated with a content stream selected from the plurality of content streams based on user preferences. As such, claims 12 and 15 are allowable for at least this reason.

Claim 13 is dependent on claim 12 and is thus allowable for the same additional reasons as claim 12 and further in view of the novel and non-obvious features recited therein.

CONCLUSION

All rejections having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the

Appln. No.: 09/845,166
Amendment dated November 23, 2005
Reply to Office Action of August 25, 2005

same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the Examiner is requested to contact the undersigned at (202) 824-3153.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: November 23, 2005

By: /Ross Dannenberg/
Ross Dannenberg, Reg. No. 49,024

1001 G Street, N.W.
Washington, D.C. 20001-4597
Tel: (202) 824-3000
Fax: (202) 824-3001